IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 2967 OF 2005

IN

SUIT NO. 2733 OF 2005

Graver and Well (I) Ltd .....Plffs.
vs.
the Central Ordinance Depot and anr.....Defnds.

Armin Vandrawalla a/w. Akshay vani
for the plaintiffds.
MS.S.I. Shah for defendant no.1.

CORAM: S.U. KAMDAR, J.

DATE : 27th October, 2005.

P.C. :.

1. Learned counsel appearing for the first defendant makes a statement that they will confine themselves to their plot of land being plot no.7 in accordance with the demarcation carried out and placed on record by the 2nd defendant collector.

The said map is taken on record. All the parties are directed to take the Xerox copies of the map. The plaintiff gives an undertaking to this court that they will not fill any rubble in the nalla or carry out any construction in the portion of the nalla. Learned counsel for the government states that they will supervise the fact that nalla is not encroached upon either by the plaintiff or by the defendant. In that view of the matter no ad-interim order is necessary. Learned counsel for the defendant no.1 further states that if there is any construction carried out in the demarcated area of the plaintiff as per the plan then they will remove the same within a period of four weeks from today. In that view nothing survives in the motion. Motion disposed off accordingly.

Parties to act on authenticated copy of this order by the Associate/P.A. of this court.

sd/-

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